

THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION / CALIFORNIA DEPARTMENT OF MENTAL HEALTH APPRENTICESHIP PROGRAM

OPERATING PROCEDURES

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SECTION I

AUTHORITY AND STRUCTURE

1.01 Authority\Mission

A. Authority

1. The Corrections Standards Authority (CSA), established under Senate Bill 737 (Stats. 2005), was vested with the duties, functions and responsibilities previously vested in the Commission on Correctional Peace Officer Standards and Training (CPOST), including responsibility for the Apprenticeship Program. Effective July 1, 2005, CPOST was abolished and all references to CPOST shall refer to the CSA established pursuant to Chapter 5 (commencing with section 6024) of Title 7 of Part 3.
2. CSA, pursuant to its power and authority under Penal Code section 6024, et seq., created the sub-committee, the California Department of Corrections and Rehabilitation (CDCR) / Department of Mental Health (DMH) Apprenticeship Committee (Apprenticeship Committee), and CSA delegated the administration of the Apprenticeship Program to the Apprenticeship Committee.
3. The Apprenticeship Committee is established pursuant to Labor Code section 3075, as a unilateral management apprenticeship committee and is responsible for the oversight and administration of the Apprenticeship Program.

B. Mission

The mission of the Apprenticeship Committee is to administer the Apprenticeship Program Standards for entry level correctional peace officers apprentices (Apprentices). The Apprenticeship Committee accomplishes this mission through the following goals:

1. Develop, approve and monitor Apprenticeship Program Standards for Apprentices employed in entry-level classifications, as defined in section 3.02 below.
2. Develop, validate, and establish work processes for each Apprentice classification.
3. Monitor the progress and completion of Apprentices through the Apprenticeship Program.

1.02 The Apprenticeship Committee

A. Committee Members

The Apprenticeship Committee is composed of seven regular voting members:

1. One member from, appointed by, and representing the management of the Department of Adult Institutions (DAI).
2. One member from, appointed by, and representing management of the Division of Juvenile Justice (DJJ).
3. One member from, appointed by, and representing management of the Division of Adult Parole Operations (DAPO).
4. One member from, appointed by and representing the management of the Division of Juvenile Parole Operations (DJPO).
5. One member from, appointed by and representing the management of the Office of Training and Professional Development (OTPD).
6. One member from, appointed by and representing the management of the DMH.
7. The CSA Executive Director, who shall serve as the permanent Apprenticeship Committee Chairperson.

B. Alternate Committee Members

DAI, DJJ, DAPO, DJPO, OTPD, DMH, and CSA shall each appoint one alternate management member for each regular member, appointed pursuant to

C. Quorum

A quorum consists of a majority of members.

D. Voting

1. Rulings, interpretations, decisions are made by a majority vote.
2. Proxy voting is not permitted.
3. In the absence of a regular member, the designated alternate member substitutes for and votes in the place of the regular member.
4. Tentative rulings of any action may be taken by a unanimous telephone vote. The tentative decision shall be documented in writing, and submitted for confirmation at the next scheduled Apprenticeship Committee meeting, and will become part of the permanent record upon confirmation.

E. Chairperson

The CSA Executive Director shall serve as the permanent Chairperson of the Apprenticeship Committee.

F. Resignation

The members serve until succeeded by their respective organization/division or upon resignation. Resigning members will notice, in writing, to the Committee Chairperson, and their own sponsoring organization/division.

1.03 Meeting Schedule

- A. The Apprenticeship Committee shall meet quarterly, but may meet more often as deemed necessary. The Chairperson will announce the day, time and location of the meeting ten days in advance.
- B. The Apprenticeship Committee meetings will be conducted in accordance with the Bagley-Keene Open Meeting Act.
- C. Closed Sessions: The Apprenticeship Committee may meet in closed, executive session to discuss pending litigation, sensitive legal matters, to review personnel documents, or as otherwise provided by the Bagley-Keene Open Meeting Act. The closed session may consist of the members; alternate members; a record keeper; the complaining party, if present, with or without a representative on personnel matters; and legal counsel to the Apprenticeship Committee.

1.04 Responsibilities of the Apprenticeship Committee

- A. Establish and adopt rules, regulations and guidelines to govern all aspects of the Apprenticeship Program, and to make amendments thereto.

1. Establish and adopt rules, regulations, guidelines and operating procedures for the operation of the Apprenticeship Committee.
2. Oversee the Local Apprenticeship Advisory Members (LAAM).
3. Adopt changes and additions to the Operating Procedures, as necessary, subject to the approval of the Apprenticeship Committee and, when applicable, the Administrator of Apprenticeship (Director, Department of Industrial Relations).

- B. Develop, approve and monitor the Apprenticeship Program Standards for the Apprentices.

1. Set the term of apprenticeship for each apprenticeable occupation in compliance with state and federal regulations.
2. Develop and approve work processes for each apprenticeable classification in which the Apprentice will receive supervised work experience and training on the job, and allocate the minimum time spent in each major process.

- C. Monitor the administration and the enforcement of the Apprenticeship Program Standards established by the Apprenticeship Committee.
- D. Respond to, advise, and confer with the Legislature, the employing agencies, interested parties, and federal and/or state oversight agencies. This includes, but is not limited to, monitoring and reviewing proposed legislation that affects the Apprenticeship Program.
- E. Ensure the Apprenticeship Program meets the regulations of the California Division of Apprenticeship Standards (DAS), including, but not limited to:
 - 1. Oversight of the indenturing of Apprentices.
 - 2. Filing of a signed original of each apprenticeship agreement with the Secretary of the California Apprenticeship Council (Chief of DAS), with copies to all parties to the agreement.
 - 3. Submission of a current copy of the Apprenticeship Program Standards to the DAS for review.
 - 4. Development of criteria for the granting of, apprenticeship credit for qualifying, prior State correctional peace officer experience directly related to the apprenticeship classification.
- F. Respond to inquiries and suggestions by Apprentices and interested parties on matters relating to the Apprenticeship Program.
- G. Establish and maintain files and records, as may be required by federal and state regulations, DAS, and other applicable law.
 - 1. Establish and maintain files and records that will include, but not limited to, minutes of meetings, rulings and interpretations, decisions on petitions and appeals, and copies of signed Apprenticeship Agreements and other similar documents and records.
 - 2. Verify through the LAAM's that the local appointing authorities' record system for apprentice on-the-job and in-service training and other "Related and Supplemental" instruction meets the requirements of applicable law and regulation.
 - 3. Review apprenticeship training records and performance reports.
 - 4. All apprenticeship records shall be open to inspection, during reasonable business hours by the Apprentice, the Apprentice's authorized representative, the Apprenticeship Committee or Advisory members, the LAAM, the local appointing authority, the DAS and applicable federal agencies, or as otherwise required by law.
- H. Establish and maintain processes for reviewing, responding to and issuing decisions to complaints regarding the Apprenticeship Program Standards or Operating Procedures.

1.05 Responsibilities of the Apprenticeship Committee Members

A. Chairperson

- 1. The Chairperson is the liaison with the Federal Department of Labor, DAS, CDCR, DMH, and other interested parties.
- 2. Schedules and facilitates Apprenticeship Committee meetings.
- 3. Answers inquiries and ensures responses to complaints.
- 4. Receives written appeals to the Apprenticeship Committee from Apprentices appealing LAAM actions.
- 5. Attends and participates in all meetings of the Apprenticeship Committee.
- 6. Votes on all matters before the Apprenticeship Committee.
- 7. Prepare minutes of the committee meetings and make them available to interested parties
- 8. Signs apprenticeship agreements on behalf of the Apprenticeship Committee.
- 9. Files amendments and revisions to the apprenticeship standards with the Division of Apprenticeship Standards.

B. Apprenticeship Committee Members

- 1. Ensure that the apprenticeship program standards and procedures

are met.

- 2. Attend and participate in all meetings of the Apprenticeship Committee.
- 3. Vote on all matters before the Apprenticeship Committee.
- 4. Represent the best interests of the Apprenticeship Committee and the Apprentices and local appointing authority.
- 5. Serve on appointed sub-committees, as deemed necessary.

1.06 Advisory Members

- A. The Apprenticeship Committee may appoint Advisory Members, as deemed necessary, to conduct the business of the Apprenticeship Committee.
- B. Advisory Members may include:
 - 1. Chiefs of Training for the local appointing authority. As used in these Operating Procedures, "local appointing authority" means Warden, Superintendent, Parole Regional Administrator, or designee.
 - 2. Chief of the Peace Officer Selection Programs for the local appointing authority.
 - 3. Education Advisor, (e.g. community college liaison).
 - 4. DAS advisor.
 - 5. Apprenticeship Program staff and representatives.
- C. Advisory Members to the Apprenticeship Committee may speak to issues but do not have the ability to make or second a motion or vote.
- D. Each adult institution, juvenile facility, and parole region (adult and juvenile) shall have a standing Local Apprenticeship Advisory Member (LAAM) to represent the Apprenticeship Committee at that work site/facility that will report to the Apprenticeship Committee. (See Section II below.)

1.07 Standing and Advisory Committees (Sub-Committees)

- A. The Apprenticeship Committee may appoint sub-committees as deemed necessary to conduct the business of the Apprenticeship Committee.
- B. Unless expressly stated otherwise, by law, regulation, rule, the Apprenticeship Program Standards, or the Operating Procedures, a sub-committee may recommend or pass items onto the Apprenticeship Committee. A recommendation from a sub-committee is created by unanimous vote.
- C. Each recommendation and discussion item submitted to the Apprenticeship Committee shall be in typed form.

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SECTION II

APPRENTICESHIP COMPLIANCE OFFICER

2.01 Introduction

In order to facilitate efficient operation of the program statewide, the Apprenticeship Committee has delegated the daily operations of the apprenticeship program to be administered by Apprenticeship Compliance Officers within the Office of Training and Professional Development. The Apprenticeship Compliance Officers are assigned as the liaison between the field and the Apprenticeship Committee.

2.02. Responsibilities of the Apprenticeship Compliance Officers may include:

- A. Act as a standing advisory member to the Apprenticeship Committee.
 - 1. Review all requests for Apprenticeship Committee action including applications for credit as defined in Section 4.09, grievances and agenda items.
 - 2. Prepare agenda item summaries for review by the Apprenticeship Committee in advance of the meetings, including a summary of the issue, background, discussion, relevant attachments and recommended action.
 - 3. Notify all affected parties of decisions made by the Apprenticeship Committee
 - 4. Implement the decisions made by the Apprenticeship Committee.
- B. Serve as a liaison between the field (LAAM and apprentice) and the Apprenticeship Committee
 - 1. Provide instruction and interpretation of apprenticeship policies and procedures
 - 2. Answer questions regarding the apprenticeship program procedures and requirements
- C. Advise interested parties of the Apprenticeship Program Standards, Operating Procedures, and Apprenticeship Committee decisions.
- D. Train LAAMs and conduct compliance reviews to ensure adherence to apprenticeship standards and procedures.
- E. Conduct an annual self-assessment for approval by the Apprenticeship Committee and submission to the Division of Apprenticeship Standards
- F. Review monthly reports of apprenticeship decisions and actions as filed by the LAAM for accuracy, completeness and compliance with procedure.
- G. Receive and process correspondence
- H. Receive and review apprenticeship appeals and grievances
 - 1. Apply apprenticeship policy to resolve disputes that cannot be resolved to the satisfaction of both parties at the local level.
 - 2. Forward appeals and grievances that cannot be resolved using existing policy or involve actions taken by the Apprenticeship Compliance Officer to the Apprenticeship Committee for resolution.
- I. Process required DAS paperwork including indenturing, amendments, and completions.
 - 1. Indenture all apprentices who are not indentured at their assigned facility or parole region.

- (a) Conduct training for apprentices on the apprenticeship program during required academy training
 - (b) Submit all DAS apprenticeship agreements for the Chairperson's signature, update apprentice database, and submit agreements to DAS for processing.
 - (c) Forward a signed and completed indenture form for each apprentice to their assigned facility LAAM
- 2. Process apprenticeship amendments as received from the LAAM including obtaining necessary signatures, updating the apprentice database, and submitting to DAS for processing
 - 3. Process requests for cancellation and completion as received from the LAAM including obtaining necessary signatures, updating the apprentice database, and submitting to DAS for processing
 - (a) Forward completion certificates to the apprentice when received from DAS

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LOCAL APPRENTICESHIP ADVISORY MEMBERS (LAAM)

3.01 Introduction

In order to ensure compliance with the Apprenticeship Program Standards and facilitate efficient operation of the program statewide, the Apprenticeship Committee has established the following Operating Procedures for the Local Apprenticeship Advisory Members (LAAM).

3.02 Appointment

A. The LAAM shall represent the management of CDCR and DMH and is appointed by the local appointing authority. The LAAM shall be appointed from the In Service Training Office or training program within parole operations.

B. The LAAM will be an active employee at the LAAM work site.

1. The Adult Institutions/Parole management representative shall be equivalent to an IST Lieutenant or higher.
2. The Juvenile Facilities/Parole management representative shall be a training officer or the local appointing authority's designee.

C. Decisions

All LAAM decisions shall be documented in a monthly report to their assigned Apprenticeship Compliance Officer. If an Apprentice does not agree with a decision made, the issue can be forwarded to the assigned Apprenticeship Compliance Officer for review and processing. [See the non-disciplinary appeals process in Section VI below.]

D. Advisors to the LAAM

1. The LAAM may appoint advisory members including institutional or regional personnel officers, Personnel Assignment Lieutenants, training officers, and assigned DAS consultant.
2. Advisory members to the LAAM shall not be allowed to vote.

3.03 Responsibilities of the LAAM

A. Ensure that the local Apprenticeship Program complies with program standards and procedures.

B. Ensure the Apprentices' compliance with the Apprenticeship Program by:

1. Tracking and recording the progress of each Apprentice through the Apprenticeship Program.
2. Meeting with an Apprentice to discuss non-disciplinary apprenticeship problems. In matters outside the authority of the LAAM, promptly referring the matter in writing to the Apprenticeship Committee or the local appointing authority.
3. Using reasonable effort to keep the Apprentice adequately instructed and appropriately assigned to complete the required work processes.
4. Ensuring that each Apprentice maintains a current and accurate record of the Apprentice's work processes hours.
5. Reviewing Apprentice Daily Record Sheets (DAS 103As) and notifying the personnel assignment office, the Apprentice's immediate supervisor and the Apprentice of any deficiency in completing the required hours in each work processes category. If necessary, the LAAM will request that they work together to remedy the deficiency. If a deficiency continues, the LAAM will

follow up to ascertain what the problem is, and report the problem to the Apprenticeship Committee.

6. Reviewing and evaluating each Apprentice's progress in related and supplemental training and other course work.
7. Noticing the Apprentice and the Apprentice's immediate supervisor when there is non-compliance with the Apprenticeship Program Standards, e.g., failure to attend and successfully complete required training.
8. Monitoring and reporting supervisory compliance with the following:

(a) Timely submittal of completed performance evaluations to the LAAM for review and recommendation of pay step increases of Apprentices.

(b) Verification that Apprentices have the opportunity and training to perform the various work processes, and take corrective action, including a remediation plan where appropriate.

(c) Reporting problems to the local appointing authority.

9. Reviewing and monitoring remediation plans with the Apprentice where compliance with Apprenticeship Program Standards is deficient. Discussing the plan with the supervisor. Advising the local appointing authority of the problem, if a supervisor does not support the LAAM recommendation.
10. Notifying the second level supervisor and the local appointing authority immediately, if appropriate compliance by the Apprentice is not accomplished. If problems cannot be resolved locally, notifying the assigned Apprenticeship Compliance Officer, within 30 calendar days.

C. Carry out the following functions:

1. Enroll Apprentices into the Apprenticeship Program who have not been enrolled at the Basic Academy. The LAAM shall give a copy of the signed Apprenticeship Agreement to the Apprentice.
2. Complete apprenticeship agreements and/or amendments, file original agreements and/or amendments with the assigned Apprenticeship Compliance Officer, and retain a copy for the Apprentice's training file.
3. Maintain in the Apprentice's training file, copies of the following: signed apprenticeship agreements (DAS I-C); DAS 103As; DAS 104s; the apprenticeship portion of the appraisal evaluations; records of apprenticeship transfers between Appointing Authorities; copies of DAS and Apprenticeship Committee completion certificates; documents showing completion of educational and/or training requirements; and other apprenticeship training records. The LAAM shall maintain these records for at least five years after the Apprentice completes the apprenticeship program.
4. Issue credit awards for apprentices filing credit applications in accordance with apprenticeship credit policy.
5. Develop and propose a written job rotation plan for Correctional Officer Apprentices and submit it to the assigned Apprenticeship Compliance Officer. The plan, which includes diversified training in the essential function categories, should:

(a) Ensure job rotation at least every six months throughout the term of apprenticeship for each Correctional Officer apprentice. A single job rotation cannot exceed six consecutive months. The length of a job rotation need not be consecutive but cumulative throughout the apprenticeship period in order to ensure that the operational needs of the facility are met.

(b) Ensure each Correctional Officer Apprentice serves one or more rotations on second watch and on third watch; but not more than one rotation (if any) on first watch, if the Correctional Officer Apprentice is employed at an adult institution;

(c) Ensure that the job rotation system provides the Correctional Officer Apprentice the opportunity to gain the required number of hours to be worked within each work processes category as set forth in the Apprenticeship Program Standards;

(d) Ensure a job rotation system which affords proper supervision and safety of the Correctional Officer Apprentice;

(e) Ensure a job rotation system that takes into account its facility's needs for work force continuity and the Correctional

Officer Apprentices' needs for continuing education;

(f) Ensure that the Personnel Assignment Office at each institution maintains an accurate record of all posted positions utilized as apprenticeship training posts and a job history for each Apprentice.

6. Recommend to the local appointing authority that the Apprentice's compliance with Apprenticeship Program Standards be considered when a decision is being made for a step increase by:

(a) Notifying the local appointing authority when the Apprentice's compliance is not satisfactory and an action is taken to increase the term of apprenticeship.

(b) Notifying the local appointing authority when the Apprentice's progress is satisfactory (in regards to completion of work processes categories, time worked in the classification, completion of required training and education and competencies).

(c) Complying with the applicable requirements of the Apprenticeship Program Standards, Operating Procedures, and Implemented Terms.

7. Transfer Apprenticeship Agreements between institutions, juvenile facilities and parole regions.

(a) When an Apprentice transfers to another local appointing authority, documenting the name of the Apprentice transferring, the date of the transfer, the accumulated number of apprenticeship hours worked in each work process, and the name of the new local appointing authority, e.g., institution/facility/parole office.

8. Terminate and close apprenticeship agreements due to:

(a) Separation from State service.

(b) Transfer to another classification.

(c) Rejection during probation, dismissal or demotion if no appeal is filed, or after appeals has been exhausted.

- D. Submit required reports in response to the Apprenticeship Compliance Officer, Apprenticeship Committee, the departmental chiefs of training, or the DAS.

- E. Receive and forward input from apprentices and the local appointing authority to the Apprenticeship Committee regarding the Apprenticeship Program Standards, rules, mandates and program design and suggested changes. The LAAM should also forward its own comments on the matter to the Apprenticeship Committee.

- F. Monitor and report to the assigned Apprenticeship Compliance Officer once every six months on the local Apprentice to journeyman ratio.

- G. Receive, review, and where appropriate, decide all non-disciplinary controversies or differences concerning the Apprenticeship Program. In those matters outside the authority of the LAAM to decide, refer the matter in writing to the Apprenticeship Compliance Officer. See Section VI below.

- H. Provide Orientation/Training

1. Explain the Apprenticeship Program and performance expectations to the Apprentice upon the Apprentice's arrival at the new job location.
2. Provide training to new supervisors regarding the Apprenticeship Program.

3.04 LAAM Record Keeping Responsibilities

- A. Process Agreements by:

1. Using the current approved apprenticeship agreement form.
2. Reflecting the address as that of the Office of Training and Professional Development and not the Apprentice's home address, institution, juvenile facility, or parole region, on all agreements to ensure the safety of the Apprentices.

3. Typing or printing clearly in black or blue ink, the Apprentice's name and social security number on the apprenticeship agreement form. The spelling of the Apprentice's name in the Apprentice Name box on the form will reflect the Apprentice's name as it appears on his/her completion certificate.
4. Ensuring that the original apprenticeship agreement forms are sent to the assigned Apprenticeship Compliance Officer within fifteen calendar days of the date of hire.

- B. Document Occupational Changes by:

1. Completing a new apprenticeship agreement and cancelling the prior apprenticeship agreement if the Apprentice is changing apprenticeable occupations.
2. Sending new original apprenticeship agreement and a copy of the agreement being canceled to the assigned Apprenticeship Compliance Officer.

- C. Document transfers between local appointing authorities by verifying that the training office and the personnel office have forwarded the Apprentice's training and personnel file to the Apprentice's new local appointing authority.

- D. Request Certificates of Completion by:

1. Completing the DAS Form 104 as follows:

(a) Type or print the Apprentices' names on the DAS 104 in alphabetical order, last name first.

(b) Fill in the social security number, training hours for each work process and completion date in the appropriate columns.

(c) Fill in all other required information including classification, institution / facility / parole region, signature, title, and date.

(d) Ensure that each DAS 104 shall reflect one specific apprentice classification, e.g., CO, CCI, YCO, etc.

2. Sending the completed form to the assigned Apprenticeship Compliance Officer.
3. Provide a copy to the Personnel Office for inclusion in the Apprentice's official personnel file.

- E. Maintain LAAM Apprenticeship Records by keeping the Apprentice's training records in a training file for up to five years.

1. Active Apprenticeship Records files will contain the following:

(a) Copy of all approved enrollment agreement, Form DAS I-C signed by the Apprentice and the Apprenticeship Committee Chairperson or his/her designee, and the DAS representative.

(b) Copies of the apprenticeship portion of each performance report issued to the Apprentice.

(c) Apprentice Daily Records (DAS 103-As) for each month of participation in the Apprenticeship Program.

(d) Documentation of all LAAM actions concerning the Apprentice.

(e) Documentation supporting apprenticeship credit and a copy of an amended agreement.

2. Inactive Apprenticeship Records files will contain the following:

(a) Originals of the Apprentice's records when the LAAM or Apprenticeship Compliance Officer has terminated an apprenticeship agreement.

3. The LAAM shall maintain Apprentice training records:

(a) When an apprenticeship agreement has been suspended for whatever reason; or,

(b) When an Apprentice successfully completes the Apprenticeship Program.

4. These files may be maintained either in their hard copy format or in electronic format.

F. Maintain Information on the Apprenticeship Program by:

1. Developing and maintaining an alphabetical listing of all active Apprentices.
2. Developing and maintaining an accurate count of the number of Apprentices in each classification and the total number of active Apprentices.
3. Developing and maintaining a system to track the total number of months that each Apprentice accrues towards completion of the program and the anticipated date of completion of the program.

G. Ensure that all apprenticeship records shall be open to inspection, during reasonable business hours by the Apprentice, the Apprentice's authorized representative, the Apprenticeship Committee or Advisory members, the LAAM, the local appointing authority, the DAS and applicable federal agencies, or as otherwise required by law.

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SECTION IV

APPRENTICES

4.01 Introduction

All employees entering a rank and file classification set forth in section 3.02 below are Apprentices, unless they have already attained journeyman status in the same classification accepted by the Apprenticeship Committee. Employees moving from one apprenticeship classification to another apprenticeship classification that does not have the same apprenticeship requirements, shall become Apprentices in the new job classification, regardless of whether they are journey level in the previous classification or not.

4.02 The Apprentice Classifications are:

Correctional Officer
Correctional Counselor I
Parole Agent I, Adult
Parole Agent I, Juvenile (Institution and Field)
Medical Technical Assistant
Casework Specialist
Youth Correctional Counselor
Youth Correctional Officer
Correctional Fire Captain

4.03 Definition of an Apprentice

An Apprentice is a person at least 21 years of age, who is engaged in learning a designated trade in an apprentice classification, and who has entered into a written apprenticeship agreement under the provisions of the standards on file with the California Division of Apprenticeship Standards (DAS).

4.04 Apprentice Responsibilities

- A. Each Apprentice shall sign an apprenticeship agreement indenturing the Apprentice to the Apprenticeship Program.
- B. Each Apprentice shall comply with the Operating Procedures, Apprenticeship Program Standards and decisions of the Apprenticeship Committee, LAAM and the local appointing authority.
- C. Each Apprentice shall satisfactorily perform and complete all work and learning assignments, including both on-the job and in-service training and "Related and Supplemental" instruction.
 1. Each Apprentice shall track his/her progress towards completion of the required number of hours in each Work Process category, and shall notify his/her supervisor and/or the LAAM of the need for more hours in a particular Work Process category.
 2. Each Apprentice must make reasonable and timely efforts to request job rotations. It is the Apprentice's obligation to bring any lack of rotation to the attention of the Apprentice's supervisor and/or the LAAM, in a timely manner.
 3. Each Apprentice shall record the number of hours accrued in each of the work processes categories on the Apprentice Daily Records (DAS 103-As)
 - (a) The Apprentice shall obtain the necessary signatures and forward the DAS 103-A to the LAAM at the end of each month, and no later than the tenth of the following month.
- D. Each Apprentice shall follow the directions and instruction of supervisors and trainers.

- E. If an Apprentice's work schedule is preventing the Apprentice from attending any apprentice training requirements, the Apprentice shall immediately notify his/her supervisor and the LAAM, who will work with the Personnel Assignment Office in an attempt to accommodate the Apprentice's work schedule.
- F. Each Apprentice shall timely respond to the LAAM or Apprenticeship Committee upon receiving written notice.

4.05 Term of Apprenticeship

A. Length of Apprenticeship Program

1. The Apprenticeship Program for rank-and-file Correctional Officer, Youth Correctional Officer, Casework Specialist, Medical Technical Assistant, Parole Agent (Adult/Juvenile), and Youth Correctional Counselor apprentices requires completion of the academy, plus completion of a minimum of 3600 hours in the respective work processes and a minimum of twenty-four qualifying months of on-the-job training after the academy, unless qualifying credits are awarded by the Apprenticeship Committee.
 - (a) The Apprentice will fill out the Form DAS 103-A while at the academy for training purposes only. The academy hours are classroom training and will not count towards the required minimum of 3600 hours of on-the-job training in the respective work processes.
 2. The Apprenticeship Program for all other rank-and-file Apprentices requires completion of a minimum of 288 hours of supplemental training, the completion of a minimum of 3600 hours in the respective work processes (no supplemental training counts toward this requirement) and a minimum of two calendar years (24 qualifying months) in the occupation, unless qualifying credit is awarded by the Apprenticeship Committee. These Apprentices are required to complete the academy, if any, appropriate to their classification, but the time spent at the academy is not included in the 3600-hour work process requirement.
 3. The Apprentice must pass probation as defined by the State Personnel Board for the Apprentice's classification.
 4. Overtime hours will be credited to the appropriate work processes category, but will not shorten the calendar length (24 qualifying months) of the program.
 5. Duties performed within a limited/light duty function will not count towards the 3,600 work processes hours except to the degree the Apprentice is successfully performing the job of his/her classification.
- B. Duties performed by an Apprentice that fall outside of the stated work process categories for which the Apprentice is indentured shall not be counted toward completion of the requirement for 3600 hours of on the job training.

4.06 Apprenticeship Agreements

- A. Each apprenticeship agreement shall conform to the State law governing apprenticeship agreements, and shall be approved and signed by the Apprentice, the Apprenticeship Committee Chairperson or designee, and the DAS representative.
- B. Each Apprentice shall be furnished a copy of and be given an opportunity to study, the Apprenticeship Program Standards and Operating Procedures before indenture.
- C. All Apprentices must have an approved agreement on file with the LAAM.
- D. The Apprenticeship Program Standards and Operating Procedures shall be considered a part of the apprenticeship agreement and incorporated therein. However, the Apprenticeship Committee is free to amend the Apprenticeship Program Standards and Operating

Procedures. Such amendments shall be binding upon the Apprentice.

4.07 Wages and Benefits

A. Wages and Benefits See Article XVI of the Apprenticeship Program Standards.

B. Apprentice Pay Increase:

1. Movement from one apprenticeship pay range to another, or from one step to another within the apprenticeship range, shall be based upon satisfactory progress in completing all of the Apprenticeship Committee requirements of the Apprenticeship Program established for that pay range for that particular classification. This means that passage to the next pay range is contingent upon approval of the local appointing authority, after review of the LAAM recommendation to the local appointing authority.
2. Apprentices shall receive periodic performance/salary reviews by their supervisor(s) in accordance with the State's Implemented Terms. This review should be filed with the LAAM at least thirty days prior to the date on which the Apprentice is eligible for the next salary step increase. This review shall be considered by the LAAM in making his/her recommendation to the local appointing authority. If the Apprentice receives an overall standard rating or above, the Apprentice shall be eligible for a salary increase as specified in section XVI of the Apprenticeship Program Standards and in accordance with the State's Implemented Terms, assuming that the Apprentice has not already reached the top step of the apprenticeship range.
3. If an Apprentice's Apprenticeship Agreement is suspended, the Apprentice's salary shall be frozen at that step throughout the length of the suspension.
4. An Apprentice may appeal to the LAAM:
 - (a) Tardy receipt of performance evaluation where it would have the effect of delaying a pay increase, or
 - (b) A negative LAAM recommendation to the local appointing authority, but the Apprentice may not appeal a denial of a step increase to the LAAM. Denials of step increases should be appealed pursuant to the State's Implemented Terms and should not be appealed to the LAAM.

C. USERRA Statute

1. The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 USC 4301-4334; see 20 C.F.R. 1002.1-1002.314 is a federal statute that protects servicemembers' and veterans' civilian employment rights. Among other things, under certain conditions, USERRA requires employers to put individuals back to work in their civilian jobs after military service. USERRA also protects servicemembers from discrimination in the workplace based on their military service or affiliation.

USERRA requires that apprentices who are called to active duty are returned to apprentice status and apprentice pay when they return to employment. However, when they complete the apprenticeship program, their advancement to journeylevel pay (Range K) is backdated to the date they would have received journeylevel pay were it not for their active duty service.

4.08 Behavioral and Performance Expectations

A. Apprentices are expected to abide by the Operating Procedures, decisions and Apprenticeship Program Standards of the Apprenticeship Committee and their local appointing authority. In addition, Apprentices must maintain all requirements to be a peace officer.

B. Apprentices are expected to maintain a standard or above rating in all

categories listed on the performance appraisal form. Apprentices who are rated less than standard in any category may be requested to appear before the LAAM.

- C. Failure by an Apprentice to meet the Apprenticeship Program Standards and requirements for continuing employment as defined by Apprenticeship Committee or the local appointing authority, may result in rejection on probation, or adverse action pursuant to the applicable Government Code.
- D. Apprentices on probation may be rejected on probation by the local appointing authority for reasons relating to the Apprentices' qualifications as set forth in Government Code section 19573.
- E. Any Apprentice, whether probationary or not, may be disciplined by the employing agency for any of the causes enumerated in Government Code section 19572, et seq.

4.09 Apprenticeship Program Credits

The Apprenticeship Committee shall award apprenticeship credit to Apprentices who apply for such credit and meet the eligibility criteria. Credit can be applied to work process hours and/or length of apprenticeship period. The LAAM shall complete an amended apprenticeship agreement for all credit awards and submit it to their assigned Apprentice Compliance Officer and note the credit award in their monthly report of apprentice decisions and actions.

The different types of credit awards are:

- A. Break in Service During Apprenticeship - Credit for Prior Apprenticeship Experience within the Same Apprenticeship Classification:
 1. If the Apprentice's break in service has been less than three years in duration, the Apprentice Compliance Officer or LAAM shall grant credit to the Apprentice equal to prior time served. For example, a returning Correctional Officer with 13 months of previous employment and 2200 hours of on the job training shall receive a credit of 13 months toward the apprenticeship period and 2200 hours toward the work process categories.
 2. If the Apprentice's break in service has been more than three years, the Apprenticeship Committee shall review the circumstances and may grant partial credit, full credit, or no credit, for the prior service.
 3. In each instance above, documentation is needed to support where the Apprentice worked and the length of his/her service. The best documentation is DAS 103s, 103As or pay records.
- B. Credit for Out-of-Class, Training and Development, Acting, or Limited Term Assignments
 1. The LAAM shall not grant any apprenticeship credit for prior work experience while in an acting position of less than 15 consecutive days.
 2. Out-of-Class (as defined by the State's Implemented Terms) and Training and Development Assignments: The LAAM may grant hour for hour apprenticeship credit for an out-of-class work assignment to another apprenticeship classification (for example, a Correctional Officer performing a 3 month out-of-class assignment as a Parole Agent, can receive 3 months credit toward the Parole Agent apprenticeship when he/she obtains permanent appointment as a Parole Agent). During the out-of-class assignment, the Apprentice cannot earn apprenticeship credit toward his/her permanent classification except when there is overlap between work processes. Credit awards are dependent upon the quality of the Apprentice's documentation of work processes accomplished. The best documentation is a copy of the out-of-class assignment paperwork and DAS 103A's reflecting the work process hours completed.
 3. Acting Assignments: The LAAM may award hour for hour credit for acting assignments over 15 days.

4. Limited Term Assignments: The LAAM shall enroll every limited term employee working in an apprenticeship classification into the Apprenticeship Program. The LAAM may grant hour for hour credit up to full apprenticeship credit to the employee for the limited term work experience, depending upon the quality of the Apprentice's documentation of the work processes accomplished. The best documentation would be for the limited-term employee to have kept track of his/her work processes hours on DAS Forms 103 and/or 103A.

C. Transfers Between Apprenticeship Classifications

The LAAM may grant credit to Apprentices transferring between apprenticeship classifications in accordance with the Work Processes Transfer Credit (Appendix 1) The best documentation is work processes hours noted on DAS Forms 103A.

D. Exceptional Apprentice

The Apprenticeship Committee may decrease the term of apprenticeship training for an individual Apprentice by not more than twelve-and-one-half percent (12 1/2%), in recognition of unusual ability and progress.

4.10 Responsibility for Records when Transferring Between Appointing Authorities or Departments

If an Apprentice has transferred between local appointing authorities or between departments, it is the Apprentice's duty to inquire whether or not the Apprentice's training file has been forwarded to the Apprentice's new place of employment. If this has not occurred, the Apprentice must notify his/her new LAAM of the problem in a timely fashion.

4.11 Related and Supplemental Instruction

Apprentices shall satisfactorily complete at least 144 hours of related and supplemental instruction per year, or 288 hours in two years. Related and supplemental instruction includes all formal training that an apprentice receives including academy training and in service training. Apprentices are required to satisfactorily complete the academy and any additional mandated training or educational curricula.

4.12 Apprentice Ratio

- A. The need for the Apprentice/Journeyman ratio is to support the proper level of Apprentice development to produce the expected quantity and quality of work and meet other work expectations, and to support the Apprentices' and other employees' need for a safe work environment within the normal hazards of the respective work areas to which Apprentices are assigned.
- B. The institutional ratio of Apprentices to journeypersons shall be no greater than three to one (3:1). Journeypersons, for this ratio purpose, include journey-level bargaining unit six employees; and first- and second-line supervisors.
- C. LAAM's who identify a failure of the local appointing authority to comply with this ratio are to immediately address their concerns to the local appointing authority. The LAAM must be involved in the discussions at the local level prior to the matter being presented to the Apprenticeship Committee. Failure to achieve or stay within the 3:1 ratio must be immediately brought in writing to the attention of the Apprenticeship Committee.
 1. No Apprentice will be assigned to work at a camp where there is no on-duty, or immediately available journeyperson, or first- or second-line supervisor in the camp.
 2. No first-year Apprentice will be assigned to work a housing unit by him/herself during second and third watches.
 3. If a first-year Apprentice is assigned to work a housing unit on second or third watch, there must be a second-year apprentice,

journeyperson or first-or second-line supervisor assigned to that housing unit.

4. Institutions are discouraged from assigning Apprentices to work first watch housing units during the first six months of their apprenticeship, unless assigned to work a secured work station.
 5. No Apprentice will be assigned to a position outside the scope of the Apprenticeship Program.
- D. At those institutions where the ratio is not met, it is incumbent on the respective LAAM to develop proposed remedies, in conjunction with the local appointing authority. These proposed remedies will be submitted, within 30 calendar days, to the Apprenticeship Committee for review and approval, if the institution is not in compliance. Remedies may include enhanced training, extended training coordinated by the respective peace officer academies, and/or focused skill training for Apprentices beyond that which is normally provided. Further remedies could include roving journey-level personnel or supervisory staff specifically assigned to provide training.

4.13 "Training and Development" and Acting Assignments

- A. Training and Development (T&D) assignments should be delayed until after the successful completion of the Apprenticeship Program. If an Apprentice is given a T&D assignment to any other classification, the employee's current apprenticeship shall be suspended, pending the employee's return to the original classification.
 1. Example: An Apprentice Correctional Officer receives a T&D assignment as a Correctional Counselor I. The employee's Correctional Officer apprenticeship program will be suspended, pending the employee's return to Correctional Officer status.
 2. If the T&D assignment is also an apprenticeable occupation, the Apprentice may not be indentured into the second apprenticeship program unless the first apprenticeship program is canceled. Apprenticeship rules only allow an Apprentice to be indentured to one apprenticeship program at a time. The Apprentice should, however, maintain the applicable DAS 103A records for the second apprenticeable classification. If the Apprentice is later given a full-time appointment to the second apprenticeable occupation, the Apprentice shall then terminate his/her first apprenticeship, indenture in the second apprenticeship program, and may petition the Apprenticeship Committee for retroactive credits for some or all of the time served while on the T&D assignment.
- B. An employee employed in an acting position shall not be indentured into the apprenticeship program for the acting position, if an apprenticeship program exists for the acting position. If the Apprentice is later given a full-time appointment to the second apprenticeable occupation, the Apprentice shall then terminate his/her first apprenticeship, indenture in the second apprenticeship program, and may petition the Apprenticeship Committee for retroactive credits for some or all of the time served while on the acting assignment.

4.14 Termination of Apprenticeship Agreements

- A. During the probationary period, an apprenticeship agreement may be terminated by the LAAM, upon written request by the Apprentice, the local appointing authority, or upon the LAAM's own initiative. The Apprentice shall be given an opportunity to appear before the LAAM and object before the apprenticeship agreement is actually terminated. Termination of an apprenticeship agreement prior to the completion of the probation period may result in a rejection on probation of the affected apprentice for failure to complete the apprenticeship program.
- B. The LAAM shall immediately terminate an apprenticeship agreement if the Apprentice does not file an appeal in a timely fashion. Where an appeal is filed, termination shall not be formalized until all appeals and remedies have been exhausted.
- C. If the local appointing authority is unable to fulfill its obligations to train

under any apprenticeship agreement or in the event of a layoff, the Apprenticeship Committee may, with the approval of the Administrator of Apprenticeship (Director, Department of Industrial Relations), transfer such agreement to any other local appointing authority if the Apprentice consents and such other local appointing authority agrees to assume the obligation of the apprenticeship agreement.

4.15 Layoffs

If for any reason a layoff of an Apprentice occurs, the apprenticeship agreement shall remain in effect unless canceled by the Administrator of Apprenticeship (the Director of the Department of Industrial Relations).

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SECTION V

JOURNEYPEPERSONS

5.01 Definition of a Journeyperson

All employees who are in a State Bargaining Unit 6 rank and file classification and who have successfully completed the appropriate Apprenticeship Program or who were "grandfathered" in as journeypersons before January 1, 1990, shall be considered a journeyperson for the classification in which they have completed an apprenticeship.

5.02 Return from Separation/Remediation

Under state and federal apprenticeship law, once a person has become a journeyperson, they remain a journeyperson and cannot be required to repeat the Apprenticeship Program. However, a returning journeyperson can be mandated to take remedial or supplemental courses, even though they are not technically considered an apprentice. If a journeyperson has been employed outside of the employee's correctional peace officer journeyperson classification for more than three calendar years, that employee may be required to attend and pass the academy training relevant to that job classification.

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SECTION VI

FIRST-LINE SUPERVISORS

6.01 Introduction

First line supervisor classifications are:

Correctional Sergeant, Adult and Juvenile
Senior Youth Correctional Counselor
Senior Medical Technical Assistant
Correctional Counselor II (Supervisor)
Parole Agent II (Supervisor), Adult and Juvenile
Fire Chief
Supervising Casework Specialist I

6.02 Definition of a First-Line Supervisor

A first-line supervisor is an employee in a correctional peace officer classification that supervises Apprentices and journeypersons.

6.03 Responsibilities of the First-Line Supervisor

- A. Ensure Apprentices receive every opportunity to learn and perform all of the work processes required for successful completion of the Apprenticeship Program.
- B. Evaluate on a daily basis and in performance reports, the performance of Apprentices.
- C. Provide input about training issues, answer questions from the LAAM or Apprenticeship Committee, and recommend changes to improve the program.
- D. Assist the LAAM in development of apprentice remediation plans.

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SECTION VII

NONDISCIPLINARY CONTROVERSIES

7.01 Training Complaints

Apprentices who are dissatisfied with any part of their Apprenticeship Program are to contact the LAAM immediately. Note: This section is not meant to discourage affected personnel from also first or concurrently raising these issues through the chain of command.

7.02 Appeal Process

All nondisciplinary controversies concerning the Apprenticeship Program, involving the interpretation, application or enforcement of the Operating Procedures or the Apprenticeship Program Standards shall be resolved in the following manner [This section does not apply to appeals from denials of apprenticeship pay step increases, which are to be resolved pursuant to the State's Implemented Terms.]:

A. Formal Appeal, Step 1:

1. The appealing party, hereafter designated as the petitioner, shall file a formal petition within ten work days after the action, event or circumstance occasioning the petition or within ten work days of the alleged violation of these Operating Procedures or Apprenticeship Program Standards, or after knowledge of the same reasonably should have been acquired.
2. A petitioner can either be (1) an individual Apprentice, or authorized representative; (2) a group of Apprentices, or authorized representative; or (3) the local appointing authority or designee.
3. A formal petition shall be initiated in writing and shall be filed with the LAAM.
4. The LAAM may meet with the petitioner(s) prior to responding to the petition. In the case of a group petition, the LAAM may meet with a authorized representative from the group.
5. Within ten work days after receipt of the formal written petition, the LAAM shall act upon the petition and respond in writing as the first level of response.
6. Decisions at this level shall be considered non-precedential, unless otherwise specified. If specified precedential, then the decision shall only be precedential for that particular LAAM.
7. Saturdays, Sundays and observed holidays shall not count as work days.

B. Formal Appeal, Step 2:

1. If the petitioner is not satisfied with the decision rendered by the LAAM, the petitioner may appeal the decision within ten work days after receipt of the decision to the local appointing authority or designee. [Appeals of a formal petitions filed by the local appointing authority at Step 1 shall bypass Step 2, and proceed to Step 3,

below.]

- (a) The petitioner shall include all relevant documentation with the appeal.
- (b) Within ten work days of receipt of the appeal by the local appointing authority, the LAAM shall forward copies of all documents relevant to the petition and their first level response to the local appointing authority.

2. The local appointing authority, if requested by the petitioner, may meet with the petitioner(s) prior to responding to the petition. In the case of a group petition, the local appointing authority may meet with a authorized representative from the group.
3. The local appointing authority shall meet with the LAAM prior to responding to the petition.
4. Within ten work days after receipt of the appealed petition, the local appointing authority, shall respond in writing as the second level of response.
5. Decisions at this level shall be considered non-precedential, unless otherwise specified. If specified precedential, then the decision shall only be precedential for that local appointing authority.
6. Saturdays, Sundays and observed holidays shall not count as work days.

C. Formal Appeal, Step 3:

1. If the petitioner is not satisfied with the decision rendered by the local appointing authority, the petitioner may appeal the decision within ten work days after receipt of the decision to the Apprenticeship Committee. Appeals must be mailed registered or certified mail, return receipt requested, or with a proof of service of mailing.
 - (a) The petitioner shall include all relevant documentation to the Apprenticeship Committee.
 - (b) Within ten work days of the Apprenticeship Committee's receipt of the appeal, the local appointing authority shall forward copies of all documents relevant to the petition.
2. Within forty-five work days after receipt of the appealed petition, the Apprenticeship Committee shall respond in writing to the appealed petition.
3. Saturdays, Sundays and observed holidays shall not count as work days.

D. An Apprentice may appeal certain apprenticeship controversies to the Division of Apprenticeship Standards (DAS)/California Apprenticeship Council (CAC) pursuant to CAC's rules and regulations.

E. Throughout this entire process, the petitioner may be represented by a representative or legal counsel of his/her expense.

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SECTION VIII

GLOSSARY OF TERMS

8.1 The following are definitions of terms as used in these Operating Procedures.

- (a) Apprentice means California Correctional Peace Officer apprentice, unless otherwise specified. Correctional Peace Officer apprentice means a person at least 21 years of age, who is engaged in learning a designated trade as a Correctional Peace Officer, and who has entered into a written apprenticeship agreement under the provisions of the standards contained in these operating procedures. All persons appointed to rank and file Correctional Peace Officer classifications are apprentices, including less than full-time employees.
- (b) Apprenticeship Committee means the body authorized by the Apprenticeship Standards to administer the apprenticeship program and is comprised of management representatives from the CDCR and DMH.
- (c) Management means personnel designated by the CDCR and the DMH to represent their organizations.
- (d) Apprenticeship Compliance Officer means the personnel who act as a liaison between the field and the Apprenticeship Committee.
- (e) First-Line Supervisor means an employee in a Correctional Peace Officer classification that supervises Correctional Peace Officer apprentices and journeypersons.
- (f) First Watch means night shift.
- (g) Journeypersons means all employees who are in a Correctional Peace Officer rank and file classification, who have successfully completed the appropriate Apprenticeship Program, or who were grandfathered as journeypersons before January 1, 1990, for that classification.
- (h) Limited / Light Duty means assignment to a work position that is consistent with the employees' temporary medical restrictions as determined by the treating physician.
- (i) Local Appointing Authority means Warden, Superintendent, Parole Regional Administrator, DMH Executive Director or their designee.
- (j) Out-of-Class Service means periods of work of 15 to 120 consecutive days, which are worked outside the classification to which the employee is assigned.
- (k) Petitioner means the party submitting an appeal, which can be an individual apprentice, a journeyperson, a first-line supervisor, a group of such employees, the local chapter of the California Correctional Peace Officers Association, the Department of Industrial Relations, Division of Apprenticeship Standards, or the local appointing authority or designee.
- (l) Qualifying Month means one month credit granted towards the completion of the Apprenticeship Program for every month in which an apprentice forwards to the LAS his/her LAS approved DAS 103-A form.
- (m) Qualifying Pay Period means either full-time employment with at

least eleven working days in a pay period or intermittent (hourly) employment with at least 160 hours worked in a pay period.

- (n) Related and Supplemental Instruction means any classroom instruction approved by the employing agency.
- (o) Second-Line Supervisor means a supervisor two steps/ranks higher in the direct promotional line of the apprentice.
- (p) Second Watch means a day shift.
- (q) Secured Work Station means an area in a correctional facility completely enclosed by any combination of metal bars, chain link, safety glass, concrete, or the equivalent, with a controlled entrance and exit, insuring the occupants' safety.
- (r) Third watch means evening/swing shift.
- (s) Work Site means the apprentices' assigned facility or office which is not an academy.